

INSPECTIONS AND APPEALS DEPARTMENT[481]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 135C.14 and 135C.36, the Department of Inspections and Appeals hereby amends Chapter 58, "Nursing Facilities," Iowa Administrative Code.

The adopted amendment makes technical changes to clarify the rule related to the appointment of a provisional administrator at a nursing facility when the facility has, through no fault of its own, lost its administrator and has been unable to replace the administrator.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 1, 2015, as **ARC 1938C**. The Department received no comments during the public comment period. The adopted amendment is identical to that published under Notice of Intended Action.

The Department does not believe that the amendment imposes any financial hardship on any regulated entity, body, or individual.

This amendment was initially reviewed by the State Board of Health at its March 11, 2015, meeting, and subsequently approved by the Board at its May 13, 2015, meeting.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 135C.14 and 135C.36.

This amendment shall become effective July 15, 2015.

The following amendment is adopted.

Amend subrule 58.8(4) as follows:

58.8(4) A provisional administrator may be appointed on a temporary basis by the nursing facility licensee to assume the administrative duties when the facility, through no fault of its own, has lost its administrator and has been unable to replace the administrator. ~~provided that no~~

~~a. No facility licensed under Iowa Code chapter 135C shall be permitted to have a provisional administrator for more than 12 consecutive months in any 12-month period and further provided that:~~

~~a. b. The facility shall notify the department has been notified prior to the date in writing within ten business days of the administrator's appointment;. The written notice shall include the estimated time frame for the appointment of the provisional administrator and the reason for the appointment of a provisional administrator. (III)~~

~~b. The board of examiners for nursing home administrators has approved the administrator's appointment and has confirmed such appointment in writing to the department. (III)~~

~~c. The provisional administrator's appointment must be approved by the board of examiners for nursing home administrators. The approval shall be confirmed in writing to the department. (III)~~

[Filed 5/13/15, effective 7/15/15]

[Published 6/10/15]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/10/15.